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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

OWEN DIAZ,  
  
Plaintiff,  
  
v.  
  
TESLA, INC. d/b/a TESLA MOTORS, INC.,  
  
Defendant.

Case No. 3:17-cv-06748-WHO

**DECLARATION OF  
DANIEL C. POSNER  
IN SUPPORT OF DEFENDANT'S  
RESPONSE TO PLAINTIFF'S NOTICE  
OF NEW EVIDENCE**

Judge: Hon. William H. Orrick

**DECLARATION OF DANIEL C. POSNER**

I, Daniel C. Posner, hereby declare:

1. I am an attorney licensed to practice law in the State of California. I am an attorney with the firm of Quinn, Emanuel, Urquhart, & Sullivan, counsel for Defendant Tesla, Inc. (“Tesla”) in this matter. I have personal knowledge of the facts set forth in this declaration, and if called as a witness I could and would testify competently thereto.

2. I make this declaration in support of Tesla’s Response to Plaintiff’s Notice of New Evidence.

3. Attached hereto as **Exhibit A** is a true and correct unredacted copy of a document produced as TSLA(VGN)26869 in the matter of *Vaughn v. Tesla, Inc.*

4. Attached hereto as **Exhibit B** is a true and correct unredacted copy of a document produced as TSLA(VGN)27092 in the matter of *Vaughn v. Tesla, Inc.*

5. Attached hereto as **Exhibit C** is a true and correct unredacted copy of a document produced as TSLA(VGN)27095 in the matter of *Vaughn v. Tesla, Inc.*

6. Attached hereto as **Exhibit D** is a true and correct unredacted copy of a document produced as TSLA(VGN)26870 in the matter of *Vaughn v. Tesla, Inc.*

7. Attached hereto as **Exhibit E** is a true and correct unredacted copy of a document produced as TSLA(VGN)27094 in the matter of *Vaughn v. Tesla, Inc.*

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 15th day of August 2023 in Los Angeles, California.

/s/ Daniel C. Posner  
Daniel C. Posner